

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **VICE CHAIRMAN DAN MCGEE**, on January 28, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Robert C. Clark, Chairman (R)

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s): HB 360, HB 382, HB 380, 1/28/1999
Date Posted: 1/25/1999
Executive Action: HB 309 and HB 327-Tabled, HB 339-Do Pass

HB 360-Do Pass As Amended

HEARING ON HB 360

Sponsor:

Rep. Molnar presented HB 360 for Rep. R. Clark.
{Tape : 1; Side : A; Approx. Time Counter : 26 - 35}

Proponents:

Bill Kennedy, Yellowstone County Commissioner
{Tape : 1; Side : A; Approx. Time Counter : 35 - 56}
Glenna Obie, Jefferson County
{Tape : 1; Side : A; Approx. Time Counter : 56 - 66}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

Rep. Molnar made closing statements.
{Tape : 1; Side : A; Approx. Time Counter : 66 - 79}

EXECUTIVE ACTION ON HB 360

Motion: REP. AHNER moved that HB 360 DO PASS.

Motion: REP. NOENNIG moved that HB 360 BE AMENDED.

Motion/Vote: REP. YOUNKIN moved that HB 360 DO PASS AS AMENDED.
Motion carried 18-0.

(Rep. Gallus and R. Clark absent during voting)

{Tape : 1; Side : A; Approx. Time Counter : 79 - 105}

HEARING ON HB 382

Sponsor:

Rep. Rose presented HB 382.

{Tape : 1; Side : A; Approx. Time Counter : 105 - 126}

Proponents:

Mary Pippen, Montana Association of District Court Clerks

{Tape : 1; Side : A; Approx. Time Counter : 126 - 151}

EXHIBIT (juh22a0

1)

Judy Gillespie, Montana Association of District Court Clerks

{Tape : 1; Side : A; Approx. Time Counter : 151 - 189}

EXHIBIT (juh22a0

2)

EXHIBIT (juh22a0

3)

EXHIBIT (juh22a0

4)

Nancy Sweeney, Lewis & Clark county Clerk of Court

{Tape : 1; Side : A; Approx. Time Counter : 189 - 215}

EXHIBIT (juh22a0

5)

EXHIBIT (juh22a0

6)

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

Rep. Rose made closing statements.

{Tape : 1; Side : A; Approx. Time Counter : 215 - 227}

Rep. Ahner made a motion to **Do Pass** on HB 382, Rep. Noennig requested that time be given to study the bill. Request granted

{Tape : 1; Side : A; Approx. Time Counter : 227 - 261}

HEARING ON HB 380

Sponsor:

Rep. Rehbein presented HB 380.

{Tape : 1; Side : A; Approx. Time Counter : 261 - 281}

Proponents:

John Youngberg, Montana Farm Bureau

{Tape : 1; Side : A; Approx. Time Counter : 281 - 335}

John Bloomquist, Montana Stockgrower's Association

{Tape : 1; Side : A; Approx. Time Counter : 335 - 382}

Arla Murray, Montana Cattle Women

{Tape : 1; Side : A; Approx. Time Counter : 382 - 406}

Opponents:

Van Jamison, Montana Wildlife Federation

{Tape : 1; Side : A; Approx. Time Counter : 406 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 25}

Jerry Wells, Montana Chapter of Trout Unlimited

{Tape : 1; Side : B; Approx. Time Counter : 25 - 86}

Robin Cunningham, Fishing Outfitters of Montana

{Tape : 1; Side : B; Approx. Time Counter : 86 - 111}

Jim McDermand, Russell county Sportsman

{Tape : 1; Side : B; Approx. Time Counter : 111 - 184}

EXHIBIT (ju

h22a07)

Stan Frasier, Montana Wildlife Federation

{Tape : 1; Side : B; Approx. Time Counter : 184 - 208}

Tony Schooner, Public Lands Commission

{Tape : 1; Side : B; Approx. Time Counter : 208 - 268}

Bill Hobart, Skyline Sportsman Association

{Tape : 1; Side : B; Approx. Time Counter : 268 - 302}

Janet Ellis, Montana Audubon Association

{Tape : 1; Side : B; Approx. Time Counter : 302 - 316}

John Kober, Montana Wildlife Association

{Tape : 1; Side : B; Approx. Time Counter : 316 - 328}

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 328 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 205}

Closing by Sponsor:

Rep. Rehbein made closing remarks.

{Tape : 2; Side : A; Approx. Time Counter : 205 - 242}

EXECUTIVE ACTION ON HB 309

Motion: REP. MOLNAR moved that HB 309 DO PASS.

EXHIBIT (juh22a0

8)

Motion: REP. ANDERSON moved that HB 309 BE AMENDED.

Rep. Facey requested amendment be segregated: 1-5 from 6-10.

Amendment fails; for 1-5 segregation.

Amendment for 1-6 is now discussed.

Motion/Vote: REP. HURDLE moved that HB 309 BE TABLED. Motion failed 9-11.

Motion: REP. MOLNAR moved that AMENDMENT 6-10 SEGREGATION BE AMENDED.

Motion: REP. FACEY moved that AMENDMENT FOR FISCAL MONIES BE AMENDED. Motion FAILED. Motion/Vote: REP. ANDERSON moved that HB 309 DO PASS AS AMENDED. Motion failed 9-11 with Anderson, Clark, Eggers, Facey, Gallus, Gutsche, Hurdle, Noennig, Soft, Williams, and Wyatt voting naye

Rep. Molnar moved reverse votes and TABLE, MOTION PASSED.

{Tape : 2; Side : A; Approx. Time Counter : 242 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 550}

{Tape : 3; Side : A; Approx. Time Counter : 0 - 357}

EXECUTIVE ACTION ON HB 327

Motion: REP. YOUNKIN moved that HB 327 DO PASS.

Motion: REP. CURTISS moved that HB 327 BE AMENDED. MOTION CARRIED.

Motion/Vote: REP. SOFT moved that HB 327 BE TABLED. Motion carried 13-6 with Curtiss, Hurdle, Jore, McGee, Molnar, and Shockley voting no.

{Tape : 3; Side : A; Approx. Time Counter : 357 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 189}

EXECUTIVE ACTION ON HB 339

Motion/Vote: REP. EGGERS moved that HB 339 DO PASS. Motion carried 17-2 with Gallus and Jore voting no.

{Tape : 3; Side : B; Approx. Time Counter : 189 - 222}

ADJOURNMENT

Adjournment: 11:25 A.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh22aad)